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<div style="border: 1px solid black; padding: 5px; margin: 5px auto; width: 150px;">06/16/2025</div>	
<small>CLERK, U.S. DISTRICT COURT DISTRICT OF NEVADA</small>	
<small>BY: _____ DEPUTY</small>	

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**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

SAGE HUMPHRIES, GINA MENICHINO,  
ROSEMARIE DEANGELO, DANIELLE  
GUTIERREZ, JANE DOE 1 AND JANE  
DOE 2

PLAINTIFFS,

V.

MITCHELL TAYLOR BUTTON AND  
DUSTY BUTTON

DEFENDANTS

CASE: 2:21-CV-01412-ART-EJY

DEFENDANTS' EMERGENCY  
MOTION TO CONTINUE JUNE 26, 2025  
HEARING ON MOTIONS FOR  
SUMMARY JUDGMENT

1 Defendants respectfully move for a short continuance of the hearing currently  
 2 scheduled for **June 26, 2025**, on the pending Cross Motions for Summary Judgment. Good  
 3 cause exists for this request based on a convergence of serious medical crises and caregiving  
 4 constraints affecting the Defendants' immediate family, as described below.

5  
 6 Defendants conferred with opposing counsel and their position states that "Plaintiffs'  
 7 counsel is available any day in July or August, other than July 7-11, July 14, or August 1."  
 8 Defendants also note that they are not available on August 7<sup>th</sup> or 8<sup>th</sup>.

9  
 10 I. GOOD CAUSE FOR CONTINUANCE

11  
 12 This request is based on time-sensitive, extraordinary circumstances beyond  
 13 Defendants' control, specifically:

- 14  
 15 1. Defendant Dusty Button's father, is undergoing **aggressive chemotherapy for**  
 16 **cancer** and is nearing the final stage of a critical treatment cycle. His **next major scan**  
 17 **is scheduled for June 25, 2025**, just one day before the scheduled hearing with a  
 18 follow up on the 26<sup>th</sup> of July during the time of the hearing. The results of this scan are  
 19 expected to determine the viability of future treatment and whether palliative care or  
 20 continued intervention is appropriate. His prognosis remains uncertain.
- 21  
 22 2. Mr. Button is **unable to transport himself** or manage basic medical coordination.  
 23 Defendants are the **sole caregivers**, and the emotional and physical demands of this  
 24 have increased sharply as treatment has progressed.
- 25  
 26 3. Simultaneously, **Laura Button**, Dusty's mother, recently suffered a **fractured**  
 27 **patella** and is **temporarily immobilized**, unable to bear weight or drive. She has

1 historically provided the only family-based childcare for Defendants’ infant child, but  
2 is currently incapacitated and in recovery.

- 3 4. Defendants are now faced with a **complete breakdown of family caregiving**  
4 **infrastructure**, with no available childcare and no ability to afford paid assistance.

5 The inability to secure reliable care has made travel and uninterrupted legal  
6 preparation logistically impossible.

- 7 5. Defendants are not requesting indefinite relief. They are simply asking for a modest  
8 extension—into **late July or August (at the Court’s discretion)**—to allow for  
9 stabilization of their family situation and fulfillment of their litigation obligations.  
10

11  
12 II. OPPOSITION FROM COUNSEL AND CASE CONTEXT

13  
14 Defendants further note that any extensions referenced by opposing counsel in other  
15 related cases were also based on these same caregiving and medical hardships. Those requests  
16 were made transparently, supported by documentation when necessary, and never for  
17 purposes of delay or in bad faith. The Buttons have made every effort to comply with  
18 deadlines and only sought accommodations when extraordinary personal circumstances  
19 required it.  
20

21 Defendants advised opposing counsel of these circumstances on **June 11, 2025**, and  
22 sought a brief stipulation. Counsel declined, citing the age of the case and a desire to avoid  
23 delay.  
24

25 Despite the deeply personal nature of these medical events, Defendants notified  
26 opposing counsel in good faith. Counsel responded: “Given Defendants’ representation that  
27

Mrs. Buttons' father is scheduled to receive treatment "during the time of" the June 26 hearing, Plaintiffs consent to a brief adjournment. Plaintiffs do not, however, consent to an indefinite delay, and respectfully request that the Court reschedule the hearing at its earliest convenience in July or August 2025. Plaintiffs' counsel is available any day in July or August, other than July 7-11, July 14, or August 1. This matter has been pending for over four years, and Plaintiffs are eager to bring this case to final resolution. We will note for the record that Defendants informed the clerk of court that they were available for the June 26 hearing over two months ago, on April 9, 2025, which should have allowed ample opportunity to make any transportation or child-care arrangements for their family, particularly since Defendants have already been given permission to appear at the hearing via Zoom. Plaintiffs also note that they have already stipulated to nine of Defendants' requests for extensions in this case. [ECF Nos. 14, 33, 41, 65, 144, 280, 302, 369, 413]. Plaintiffs' counsel have also stipulated to all seven of Defendants' requests for extensions in the related cases that the Buttons filed, all based on similar representations about medical issues. [See Button et al v. McCawley, 24-cv-60911-DSL, ECF Nos. 18, 26, 31, 34, 51; Dusty Button et al v. Micah Humphries et al, 24-cv-01730-JVS-DFM, ECF Nos. 59, 77]. While Plaintiffs sympathize with Defendants' family's medical situation, given the already extensive delays in this case and others, Plaintiffs are disinclined to consent to further extension requests absent extraordinary circumstances".

Plaintiffs will suffer **no prejudice** if the hearing is continued. Their motion is fully briefed and would remain ripe for decision after a brief delay. Defendants also represent that this is an extraordinary circumstance and would otherwise not burden this Court with this request.

This Court is well aware that opposing counsel also represents other defendants in related actions filed by the Buttons, including *Button et al v. Micah Humphries*<sup>1</sup>; *Button et al v. McCawley*<sup>2</sup>, *Button et al v. the New York Times*<sup>3</sup>, *Button et al v. Doherty*<sup>4</sup> and *Button v. Humphries*<sup>5</sup>. Defendants have consistently complied with deadlines across forums and now seek a **one-time accommodation** of continuance of this hearing due to an acute and unanticipated medical crisis. The balance of equities here weighs heavily in favor of a short continuance: denial would create severe and unjustifiable hardship for the Buttons while benefitting no party and delaying no proceeding materially.

### III. REQUESTED RELIEF

Defendants respectfully request that the Court:

- **Continue the hearing currently scheduled for June 26, 2025**, on Cross Motions for Summary Judgment;
- Reschedule the hearing for a date in **late July, or August** at the Court's discretion;
- Continue to Permit Zoom appearance for the Defendants at the time of the hearing.

### IV. CONCLUSION

This request is made in **good faith**, not for delay, and is supported by verified, time-sensitive medical needs affecting multiple immediate family members. A brief continuance

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<sup>1</sup> 8:24-cv-01730-JVS-DFM in the Southern District Court of California.

<sup>2</sup> 0:24-cv-60911-DSL in the Southern District Court of Florida

<sup>3</sup> 1:24-cv-05888-MKV in the Southern District Court of New York

<sup>4</sup> 1:24-cv-05026-JPC-KHP in the Southern District Court of New York

<sup>5</sup> 2023-P-1202 in the Massachusetts Appeals Court and No.FAR-30336 in the Supreme Judicial Court of Massachusetts

1 will allow for the stabilization of Defendants' obligations and ensure meaningful participation  
2 in this critical hearing.

3  
4  
5 Respectfully dated this 16<sup>th</sup> day of June, 2025,

6  
7  
8 A horizontal line with two handwritten signatures in blue ink. The signature on the left is more stylized and cursive, while the one on the right is more legible and blocky.

9 Mitchell Taylor Button and Dusty Button (*Pro se*)  
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**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that the foregoing document was filed with  
LV\_public\_docketing@nvdcourts.gov on June 16<sup>th</sup>, 2025 and served on all parties via email.

Dated this 16<sup>th</sup> day of June, 2025,

Two handwritten signatures in black ink are positioned above a horizontal line. The signature on the left is more stylized and cursive, while the one on the right is more legible and appears to be 'Dusty Button'.

Mitchell Taylor Button and Dusty Button

*(Pro se)*